

AMENDED IN SENATE APRIL 30, 2012

AMENDED IN SENATE APRIL 9, 2012

SENATE BILL

No. 1291

Introduced by Senator Evans

February 23, 2012

An act to amend Section 1269 of, and to repeal Section 1274.10 of, the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1291, as amended, Evans. Unemployment benefits: training: teacher credentialing.

Under the California Training Benefits Program, until January 1, 2015, an unemployed individual, who is otherwise eligible for unemployment benefits, and who files a claim for unemployment compensation benefits, extended duration benefits, or federal-state extended benefits or any federally funded unemployment compensation benefits, may apply to the Employment Development Department for a determination of potential eligibility for benefits during a period of training or retraining. Existing law requires a determination of automatic eligibility for those benefits if any of specified conditions apply. Existing law requires, if training or retraining is not authorized under those provisions governing automatic eligibility for those benefits, that a determination of potential eligibility for benefits be issued to the unemployed individual if the Director of Employment Development finds that specified criteria apply.

Under existing law, the Commission on Teacher Credentialing is authorized to issue teaching credentials in single subject instruction or specialist instruction in, among other subjects, math, science, and special

education. Existing law also requires the commission to adopt general standards for the accreditation or approval of preparation programs for teachers.

This bill would delete the January 1, 2015, sunset date, of the California Training Benefits Program thereby extending its operation indefinitely. The bill would also require a determination of automatic eligibility for benefits under the California Training Benefits Program to be issued to an unemployed teacher, as defined, who is otherwise eligible for unemployment benefits, if the Director of Employment Development finds that the unemployed teacher is ~~enrolled~~ *a permanent or probationary public school teacher who participates* in a credential preparation program or training program approved or accredited by the Commission on Teacher Credentialing for additional certification in math, science, or special education, for kindergarten and grades 1 to 12, inclusive, and ~~his or her services were terminated~~ *was laid off*, as specified.

Because the bill would extend the operation of the California Training Benefits Program and make various changes to existing eligibility requirements for training and retraining benefits, which would result in additional amounts being payable from the Unemployment Fund for those benefits, the bill would make an appropriation.

This bill would make its provisions operative on January 1, 2014.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1269 of the Unemployment Insurance
- 2 Code is amended to read:
- 3 1269. A determination of automatic eligibility for benefits
- 4 under this article shall be issued to an unemployed individual if
- 5 the director finds that any of the following applies:
- 6 (a) The training is authorized by the federal Workforce
- 7 Investment Act of 1998 (~~P.L.~~ *Public Law* 105-220) or by the
- 8 Employment Training Panel established pursuant to Chapter 3.5
- 9 (commencing with Section 10200) of Part 1 of Division 3.
- 10 (b) The training is authorized by the federal Trade Act of 1974
- 11 (19 U.S.C. Sec. 2101 et seq.), as amended by the federal Trade
- 12 Act of 2002 (~~P.L.~~ *Public Law* 107-210), and as those acts may be
- 13 amended by the federal Trade and Globalization Adjustment

1 Assistance Act of 2009, enacted under the federal American
2 Recovery and Reinvestment Act of 2009 ~~(P.L. (Public Law 111-5),~~
3 pursuant to a certified petition.

4 (c) The individual is a participant in the California Work
5 Opportunity and Responsibility to Kids (CalWORKs) program
6 pursuant to Article 3.2 (commencing with Section 11320) of
7 Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions
8 Code, and has entered into a contract with the county welfare
9 department to participate in an education or training program.

10 (d) The individual is a participant in training with a provider
11 that is certified and on the state's Eligible Training Provider List
12 (ETPL), as authorized by the federal Workforce Investment Act
13 of 1998 ~~(P.L. (Public Law 105-220)), or is enrolled a permanent~~
14 ~~or probationary public school teacher who is a participant in a~~
15 ~~credential preparation program or training program approved or~~
16 ~~accredited by the Commission on Teacher Credentialing for~~
17 ~~additional certification in math, science, or special education, for~~
18 ~~kindergarten and grades 1 to 12, inclusive, and his or her services~~
19 ~~were terminated pursuant to Section 44955 of the Education Code~~
20 ~~was laid off. The credential preparation program or training~~
21 ~~program shall only be approved if a permanent or probationary~~
22 ~~public school teacher enrolls in the training within three years of~~
23 ~~being laid off from the public school employer.~~

24 (e) The individual is a journey level union member and the
25 training or retraining course of instruction is industry-related
26 training necessary due to changes in technology, or industry
27 demands, or is necessary to retain employment or to become more
28 competitive in obtaining employment.

29 SEC. 2. Section 1274.10 of the Unemployment Insurance Code
30 is repealed.

31 SEC. 3. This act shall become operative on January 1, 2014.